

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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S.D. OF N.Y.

16cv 1152

Matthew Whittington

Write the full name of each plaintiff.

No. Second Amendment complaint
(To be filled out by Clerk's Office)

-against-

Commissioner Joseph Ponte

Chief Jennings

John Doe

City of New York

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

COMPLAINT

(Prisoner)

Do you want a jury trial?

☒ Yes ☐ No

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED

DOC #:

DATE FILED: 9/23/16

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. LEGAL BASIS FOR CLAIM

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☐ Other: _____

II. PLAINTIFF INFORMATION

Each plaintiff must provide the following information. Attach additional pages if necessary.

Matthew Whittington
First Name Middle Initial Last Name

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

DIN 16A3557
Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

Down State Correctional Facility
Current Place of Detention

121 Red School House Road
Institutional Address

Fishkill NY P.O Box F 12524 - 0445
County, City State Zip Code

III. PRISONER STATUS

Indicate below whether you are a prisoner or other confined person:

☐ Pretrial detainee

☐ Civilly committed detainee

☐ Immigration detainee

☒ Convicted and sentenced prisoner

☐ Other: _____

IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:

Joseph Ponte
First Name Last Name Shield #
Commissioner
Current Job Title (or other identifying information)

Current Work Address

Defendant 2:

Chaz Hazel Jennings
First Name Last Name Shield #
Chief of Security
Current Job Title (or other identifying information)

Current Work Address

Defendant 3:

County, City State Zip Code
John Doe
First Name Last Name Shield #
City of New York
Current Job Title (or other identifying information)

Current Work Address

Defendant 4:

County, City State Zip Code
City of New York
First Name Last Name Shield #

Current Job Title (or other identifying information)

Current Work Address

County, City State Zip Code

V. STATEMENT OF CLAIM

Place(s) of occurrence: Rikers Island MDC, (C95) AMKC, GRVC, Nic
West Facility

Date(s) of occurrence: 7/28/16, 10/26/13, 12/31/15 8/7/16

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

See Attachment

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

See Attachment

VI. RELIEF

State briefly what money damages or other relief you want the court to order.

See Attachment

VII. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>9/23/16</u>		<u>Matthew Whittington</u>
Dated		Plaintiff's Signature
<u>Matthew Whittington</u>		<u>DIN 16A 3557</u>
First Name	Middle Initial	Last Name
<u>121 Red School House Road</u>		
Prison Address		
<u>Fishkill</u>	<u>New York</u>	<u>P.O. Box F 12524 - 0445</u>
County, City	State	Zip Code

Date on which I am delivering this complaint to prison authorities for mailing: 9/23/16

Jury Trial Demanded and Injunction Relieve Verified Complaint for Damages
This is a 1983 action filed by Plaintiff Matthew Whittington
a Rikers Island Pretrial Detainee, Alleging Violation
of ~~My~~ Constitutional Rights to Receive medical care
(Mental Health) and Seeking injunctive Relief and Money damages.
Plaintiff also seeks an Injunction and Damages pursuant to
the Americans with Disabilities act. and the Rehabilitation act.
Jurisdiction of this Court is invoked pursuant to 28 U.S.C.
331 in that this is a Civil Action arising under the Constitution
of the United States.

Jurisdiction of the Court is invoked pursuant to 28 U.S.C. 1343
(3) in that this action seeks to Redress the deprivation
under color of state law, of rights secured by acts of Congress
providing for equal Rights of persons within the jurisdiction of the
United States.

Plaintiff filed an article 78 & Grievances Concerning the occurrences
complained of on date within 2 years after some of those occurrences
and brought suit within 6 months after no response to my article 78
and Grievances as required by 28 U.S.C. 2401.

Plaintiff Matthew Whittington at all times relevant was confined by N.Y.C.
D.O.C. at Rikers Island
Defendant (H.H.C.) Health & Hospital Corporation at all times relevant under
a new contract with N.Y.C. D.O.C. to provide medical care and
mental health to inmates/detainees confined on Rikers Island
including Matthew Whittington.

Defendant Corizon at all times relevant was once under contract
with N.Y.C. D.O.C. to provide medical and mental health to
detainees on Rikers Island including Matthew Whittington.
Defendant Dr. Goldberg at all times relevant as a supervisor of
mental health on Rikers Island to oversee and make sure proper
mental health services were provided to detainees at Rikers Island
including Matthew Whittington.

Defendant Ram Raju at all times relevant as a supervisor of mental health
on Rikers Island to oversee and make sure proper mental health services were
provided to detainees at Rikers Island including Matthew Whittington.
Defendant Dr. H.O. at all times relevant as employee of Corizon/HHC and mental health supervisor

CONTINUED -
Defendant Sioban Donnelly at all times relevant as Supervisor of mental health employed by Corizon/HHC
Defendant Evan Bederman at all times relevant as Supervisor of mental health unit employed by Corizon/HHC.
Defendant Dr Spence at all times relevant as Supervisor of mental health unit employed by Corizon/HHC.
Defendant John Doe at all times relevant as Clinician ~~and~~ of mental health unit employed by Corizon/HHC.
Defendant John Doe at all times relevant as Clinician of mental health unit employed by Corizon/HHC.
Defendant Jane Doe at all times relevant as Clinician of mental health unit employed by Corizon/HHC.
All Defendants at all relevant times were acting under color of state law & are being sued in their individual & official capacities.
Starting from 10/26/13 I was in a mental health program & was abused by D.O.C. staff. I informed mental health that D.O.C. staff abuses detainees & especially mental health detainees.
From that date on I was placed in & out of mental health programs at D.O.C.'s discretion. D.O.C. staff told mental health what to do with us and they do it without any regards to my mental state or any real care remaining to my sanity.
On November 2014 I was taken out of 13A IN GRV.C A mental health program, on D.O.C.'s orders and sent to extreme isolation in ab.c.c. 3south. I was held there for days without cause or merit. Afterwards I was taken to another house in obcc (5N) which 3 other detainees were housed in an empty 5 man cell house subjected to more oppressive and depressive extreme isolation.
A time in 2015 the beginning around Feb, March I was once again taken out of mental health & placed into 3south extreme isolation where I attempted suicide again. This is the 2nd or 3rd time this has happened with mental health & D.O.C. staff being indifferent to my mental health as always. D.O.C. is known for overriding mental health with detainees D.O.C. personally is like. There are times when D.O.C. staff forces mental health to take detainees off of psychotropic meds...
While in Bellvue due to C.O. Brathwaite a friend of a C.O. who assaulted me on the island on 7/28/14 he lied and told mental health I had a weapon, I was searched nothing found, however it led to me being injected with a medication needle. I haven't been right since then. I've needed it been on more serious psych medications since... (see psych records)
I completed the mental health program, to be released to mental health housing or general population as previously done, however upon release was sent to G.M.D.C. for 24 hours in Jan. 2015 then without incident upon D.O.C. orders was transferred to N.I.C. 'restraint house (extreme isolation)

every day & every week complained to mental health about the isolation, claustrophobia
and overall caging which was not conducive to my mental health. upon d.o.c.
ordering mental health to leave me that's what was done. Even after informing
mental health of my suicidal thoughts and how the isolation made me feel. so with
deliberate indifference and upon D.O.C. orders I was left in N.I.C. to my own devices.
ON 4/30/15 in N.I.C. plaintiff attempted suicide again, this time by swallowing a
razor. INSTEAD OF RECEIVING psych assistance upon d.o.c. orders I was searched
cell plaintiff's cell was searched which took approximately 1:45 minutes. Due to d.o.c.
indifference & outright indifference. Then plaintiff was forced to wait in intake for
several more hours without medical assistance. (see psych reports for more information).
Instead of receiving treatment d.o.c. ordered me moved back to Rikers Island & I
was placed in extreme isolation 3500th without the blade being recovered. plaintiff given
no real treatment placed in lockdown in the box for suicide attempt. ON 7/23/15
was transferred out to A.C.C.F. in order to not be dealt with. No medical treatment upon return
from Hospital... which is mandatory...
Nov, 10 2015 upon arrival from A.C.C.F. to M.D.C. plaintiff still placed in extreme
isolation (9500th). Complaint after complaint and grievance after grievance fell on deaf ears.
was sent to R.H.U. mental health program in Jan, 2016 Brought back to M.D.C. (9500th)
upon completion of mental health program. plaintiff put in numerous complaints again
and grievances still fell upon deaf ears. was sent back to mental health program
upon completion was brought back to M.D.C. despite urging mental health staff
again that plaintiff was not able to adjust mentally to 9500th.
In M.D.C. intake plaintiff once again attempted suicide this time using sharp
object in M.D.C. intake cell to slice open wrists and arm. (before this incident plaintiff
was brought to C-71 psych ward, but upon d.o.c. orders doctor forced to clear
plaintiff) plaintiff brought to C-71 psych ward again this time admitted, no assaults
or issues, D.O.C. brought plaintiff from court & rushed plaintiff to extreme
isolation in West Facility which is not suitable for mental health. I remained
in extreme isolation per d.o.c. orders despite adequate mental health services
and mental health was definitely aware.
was sent back to R.H.U. mental health program & upon completion was once
again sent back to West Facility despite protests complaints and all
calls. ON 8/16/16 was sent to G.M.C.F. AS A pre-trial detainee
was placed into the S.H.U. taken off all my psych medications &
made to suffer punishment, despite not being suitable to S.H.U. We
to detainee status under N.Y.C. minimum standard AND N.Y.S. minimum
standard governing OMH cases.

This is An Amended 1983 action filed by Plaintiff Matthew Whittington, A Rikers Island pretrial detainee, alleging violation of Constitutional Rights under the U.S.C. Specifically, The 6th, 8th & 14th Amendments, also seeking injunctive relief and money damages. Plaintiff also seeks an injunction and damages pursuant to the Americans with Disabilities Act and the Rehabilitation Act. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. 1331 in that this is a Civil action arising under the Constitution of The United States. Jurisdiction of the Court is invoked pursuant to 28 U.S.C. 1343 (a)(3) in that this action seeks to redress the deprivation under color of ~~the~~ State law of rights secured by Acts of Congress providing for equal rights of persons within the jurisdiction of the United States.

Plaintiff filed a Notice of Claim concerning the occurrences complained of with the Comptroller of N.Y.C. within 90 days of those occurrences as required by the Local Law, and the Comptroller has failed to settle the plaintiff's claim. Furthermore, Plaintiff filed Grievances & Article 78's concerning the occurrences complained of within 2 years of occurrences and brought suit within 6 months after no response to my Grievances & Article 78 as required by 28 U.S.C. 2401.

Plaintiff Matthew Whittington at all times relevant was confined on Rikers Island and under N.Y.C. doc. care & custody by jurisdiction at all times.

Defendant Joseph A. Ponte (Commissioner) at all times relevant is and was aware of my movements & activities since 2014. Indirect participation and supervisor liability... employee of N.Y.C. d.o.c.

Defendant Hazel Jennings (Chief) at all times relevant makes all moves involving security, especially (CMC) prisoners, direct & indirect participation as liable as the supervisor who gave almost every order in all situations, or other constitutional violations. Employee of N.Y.C. d.o.c.

Defendant John Doe (C.O.'s involved in assaults) at all times relevant as an employee of N.Y.C. d.o.c.

Defendant Jane Doe (female supervisors & C.O.'s involved in ^{assaults} violations) at all times relevant as employees of N.Y.C. d.o.c.

Defendant Rikers Island Administration (other chiefs & officers in Bulova building that makes calls on Rikers Island detainees) at all times relevant as employees of N.Y.C. d.o.c.

Defendant Warden Raleem Moses (M.D.C.) at all times relevant as warden of M.D.C.

Defendant Dep/Warden Graham, at all times relevant as warden of West Facility...

Indirect participants in violating my Constitutional Rights at all times relevant under color of State law and are being sued in their individual capacity.

Defendant Captain S. Brown #801 at all times relevant under color of State law and being sued in her individual capacity.

Defendant D. LANTHAM #2677 at all times relevant as a Corrections officer of NYC
D.C. were acting under color of state law and being sued in his individual capacity (M.D.C.)
Defendant Jones #5948 at all times relevant as a corrections officer of NYC D.O.C. were
acting under color of state law & being sued in his individual capacity. (M.D.C.) 3/15/16
Defendant Skeete #17793 at all times relevant as a Corrections officer of N.Y.C. d.o.c.
were acting under color of state law and being sued in his individual capacity. (M.D.C.) 3/15/16
Defendant Dallymple #4249 at all times relevant as a corrections officer of West Facility
were acting under the color of state law and being sued in his individual capacity.
Defendant Harris #1261 at all times relevant as a corrections officer of West Facility
were acting under the color of state law and being sued in his individual capacity.
Defendant Captain Collins #794 at all times relevant as a Captain at West Facility
were acting under the color of state law and being sued in his individual capacity.
Furthermore I wish to bring forth on all defendants mentioned above 18 U.S.C. Sec. 241,
conspiracy against Rights 242 (Deprivation of Rights under color of Law) 18 U.S.C.
#41 (pattern & practice of conduct by officers, including excessive force, false arrest,
continued on Defendant Graham. For failure to protect from a known risk of substantial
arm, still accepting me to West Facility after the injunction, furthermore after being set
up on 6/5/16. Deliberate indifference to my personal safety and well being.
Plaintiff wishes to sue all defendants in their individual AND official
capacities....

A form of Cruel & Unusual Punishment Amongst other things like
th amendment violations 14th Amendment violations Both clauses.
Chief of Security Hazel Jennings, NYC doc. Commissioner Joseph A.
Ponte, Rikers Island Administration (Bulova Building) AND Every Officer
Supervisor Liable in their own capacity. I was consistently
harassed, assaulted & overall mistreated from 2013, till ~~now~~ Now 7-28-

ON 10-26-13 I was assaulted severely by (C95) AMKC STAFF in
direct retaliation for putting allegations on C.O. Lamar who previously
assaulted me in 2012. This incident was brought to summary
judgement & dismissed due to a technicality and not based on
facts, still in appeal court.

ON OCT, 2014 I was involved in a van/BUS crash on or about the
1st NO medical treatment until next day permanent jaw issues to
this day. Still took us to our destination but denied us
medical treatment, there is a camera in BRVC Back
intake parking lot where it took place. I complained &
litigated.

ON NOV, 2014 I was set up by doc. staff E.S.U. to be
sacked, I was planted with a handcuff key that allegedly came from
the bedframe. I was cleared of all contraband then placed back
into 13A23 cell, hours later on (Chief Jennings) & Joseph A Ponte
orders, (the latter was present) I was forced to go into isolation
in 35 south, for Chief Hazel Jennings & Rikers Admins satisfaction. As
per protocol, you clear all search procedures you do not go to isolation.
(I was in a mental health program R.H.U.)

once again I cleared all procedures with security from ObCC, I was
sent back to isolation, ~~where no shower, no phone,~~ I remained in intake for
security to verify I cleared all procedures, instead of verifying I was
extracted & to be forced back to isolation. (where no shower, no phone,
& services what so ever) After being extracted from intake, I was given
proper medical treatment aside from a visual observation as I was rolled
on a Gurney (see camera) cuffed & shackled.
30 minutes or ~~more~~ Fifteen, I was forced into 35 south isolation cell #6
in 7 (despite clearing again like any other prisoner) 11-16-14 I was assaulted
by almost all officers involved & even the Captain came into the cell to
punch, kick & drag me to stay inside the cell. My knees were slammed into the
cell door, repeatedly in an effort to lock me in... my left forearm was
pinned & cut by the cell door. Still scarred right now.
this I was placed in a house 5 north where 3 other prisoners were. In a cell.

Housing Area, I was made to stay. I Received No Services except Shower
Rec & phone Sometimes. my Mental Health status mandated me services
that were purposely denied even though I Requested them.

2) A few weeks later I was Sent Back to G.R.V.C. Where I was
searched excessively & Regularly. A week or so later, Right to D.B.C.
R.H.U Program. I completed the program Successfully, previously upon
completion I am Sent to General population on M.O. preferred
Housing. As expected I was sent to G.M.D.C. No issues at
all, Not even 4 full 24 Hours, At 8:00pm I was to pack
my things & go to Intake. A C.O. Showed me an E-mail from
Hazel Jenning to Charmin Lemon stating Send me to N.I.C.
Because I am Enhanced Restraint & C.M.C. ... I never
personally Received Notification written or verbally about this
Change in Classification (due process)

3) Upon arrival to N.I.C. I Requested written Notification of my
Classification, None was provided. I went to search so I can
go upstairs & Handle it legally. I was told to give up certain
things, & next thing I know Captain Collozo is spraying me in
my Face... Neck & Head with MK9 Chemical agents despite
me being asthmatic & Having my Asthma pump with me. I was
then assaulted by him & 2 officers # Lowe & John Doe... (see camera
check logbook) I was also planted with an alleged weapon to
justify me being assaulted. Then Sent directly to the Box, I was
Found Not Guilty of my weapon ticket, & was still made to do Box Time...

4) I was sent back to N.I.C. After Completing Box Time. I was
once again Suicidal due to the Constant Caging and (no air mentally)
(see mental health Records) Claustrophobic I attempted Suicide... I warned
mental health However D.O.C. Forced mental health to do nothing.
I told mental health this place was not suitable mentally, mental health
agreed but D.O.C. said No. I Swallowed an institutional Razor I was
sent to Bellvue after undergoing a cell search (After I informed the
officer its in me) Hours pass they leave me in intake for
Hours, Then I arrived at Bellvue. where I underwent an
illegal Endoscopy surgery (which I Refused & Signed Nothing) I
was put to sleep 2 or 3 days later just for D.O.C.'s satisfaction
Nothing was Recovered. later that day or the next E.S.U. Forced
me out of the Hospital & took me to isolation (Chief Jennings orders,
was intentionally sent to isolation to suffer. no medical treatment was given)

it all despite me requesting it. Not to mention protocol is to see medical upon arrival from the Outside Hospital. especially since I was complaining of stomach pains due to the surgery I believe. (I was bleeding from my stool for months afterward). No razor was recovered. So why was I in isolation if that was not the priority? I was made Red I.D. status behind this incident despite no infraction & no real hearing with real facts. (I was denied to present mental health records in the hearing). & despite said issue (suicide) not being a Red I.D. Qualification. I was now forced to wear mittens & extra restraints in court all day... (only in Bronx court)

Instead of being sent back to N.Y.C. or a mental observation house, I was sent to the Box (even though I was overdue & completed all Box time, is the new 60 day Every 6 month Rule... As usual Chief Jennings did a "Override" practice her and the administration uses to circumvent their own Rule, and to make those whom they dislike in the Box. Regular searches & constant no services.

On the day I was scheduled to leave the Box E.S.U. Captain Bradford explained to me that on the Chief's Jennings orders I was S.J.O. so on 7-23-15 I was transferred out of my jurisdiction by d.o.c. to another (County pretrial detainee jail) A.C.C.F. in Albany, N.Y. 1/2 to 4 hours from my family & court. I am still a pretrial detainee

The only explanation given in any form was a verbal The Chief's orders, I said what Chief He said Jennings, She said You need a time out. While in Albany I was denied access to N.Y.C. Courts which is my jurisdiction. While in N.Y.C. d.o.c. custody E.S.U. would transfer me to court at 4:30am I was forced to be handcuffed in a little small tight space for dogs... Handcuffed with a Black Box, Shackles on legs and handcuffs attached to a waist chain. upon arrival at Bronx court I am forced to wear a Red I.D. set up which is waist chain mittens handcuffs and leg shackles. E.S.U. would come and pick me up at 9:00pm or 10:00 sometimes earlier or later. I would be set back up in the E.S.U. security set up (restraints) and forced into the day cage. for another 4 hours depending on what other stops had to be made... Rikers, downstate etc. I would arrive in Albany about 11:00am sometimes later... most definitely cruel & unusual punishment/torture... due to such tactics I was diagnosed with Carpal Tunnel (nerve damage). I was prescribed medication for my nerves. There are more unconstitutional acts & treatment I suffered which I was told could not be addressed because NYC d.o.c. did not physically harm me, N.Y.C. D.O.C. only sent me there so these things could happen & did happen. (While in A.C.C.F. my institutional record was clean) so anything that happened Chief Jennings & Joseph Ponte are liable. I've physically wrote grievances stating officers lieutenants & other supervisors comments about Chief Jennings & Ponte wanting us to learn a lesson. The only I was in the SHU/Box in A.C.C.F. was because once again Chief Jennings

Sent Am tax paper stating Box time owed, mine stated 2 1/2 yrs. It further stated all prisoners from Rikers were to be in the Box as per her orders. Even though I was in A.C.C.F 6 weeks incident free.

2) ON 11-10-15 I was transferred to M.D.C. after court so I went through yet another court date experiencing unimaginable pain in my Ankles & Wrist. I was searched Everyday upon arrival at M.D.C. Everyday my cell was tossed with NO Reason. I was incident free. I was litigating on Chief Hazel Jennings & Joseph Ponte. When suddenly on 12-31-15 I was denied Contact visits, (the weekend of my Birthday) Captain Tate told me AS per Chief Jennings I was non contact. NO Infraction, NO notification Nothing. Every Supervisor stated its above me that's Chief Jennings. "Above my Pay Grade". Still NO Incident by me. I grewed the issue, called all & prisoners rights I kept writing. out of nowhere we are on lock down with NO property for almost 4 days. NO property NO visits NO services NO phone. ON 1-7-16 I believe I was in a use of Force while I was handcuffed on the ground, I was punched repeatedly & hit by multiple people. Someone stated "Write about that switch".

& hit me in my eye. Closing it & hurting me severely. sent to E.M.S. Then sent to the Box 2 days later, NO services given forced to be locked in my cell. my visitor Tiana Stevenson passed out in the non contact area due to the heat and the yelling. She was taken by E.M.S.

12) I arrived back in M.D.C. after Box time, I went to one visit contact & I saw deputy Rene & immediately he got on his cell phone... 10 minutes later Captain Brown #801 came into the room with my visitor present and said "You know the Chief don't want you in contact visits... my visit was terminated. all other visits were non-contact, I complained to B.O.C. They sent an email to M.D.C. stating I received my visits because I gave nothing that states otherwise. Next week on 2-15-16 I was served by Captain Brown #801 with non contact paper for 180 days "good & safety of the facility".

3) IN March 2016 I was assaulted by Captain Browns Goons officer Lanham & Shmaw. ON March, 25, 2016 I was again assaulted this time twice in one day... (in between I've wrote numerous grievances because the tactics imposed in growth by Chief Jennings were unconstitutional, I personally received NO services as per request.) I was fully restrained like all other times I was assaulted by D.O.C. staff in M.D.C. waistchain Handcuffs mittens, leg shackles... NO way was I the aggressor. First off I was roughly grabbed & dragged to the elevator by C.O. Lanham then upon arriving to the elevator, Captain Brown #801 screamed take him down, Officer Lanham slammed me 3 times with the help of officer Jones who ran

hard procedure is a probe team is to come & remove me from the staff
had an incident with Captain Brown #801 told them to stand down & let
the assaulting officers take me to medical. Deputy SH. Brown approved it.
I was never uncuffed to receive ~~medical~~ medical treatment, my elbow was
busted open severely and bleeding profusely. The Supervisors Capt Brown #801
& SH. Brown Deputy told doctor Barnes to hurry up. ~~my~~ my elbow was
wrapped up & I was put into a wheel chair because the leg shackles
were biting my ankles, and due to the fact Rikers Island took me
off of my nerve pain medication, so the pain was excruciating.
~~When~~ E.S.U. was present Captain Bradford, and two officers. I had
court, however it's Friday & as a muslim I had the right to
refuse as I've done any other time, I was rolled to F.O.D.
get on the bus despite my constant I'm not going... upon
getting on the elevator I was punched from behind multiple
times I fell out the wheel chair & was stomped kicked & my head
was banged on the floor a few times. all the way, Captain Brown #801
is screaming "get him". The whole incident I was fully restrained
still. I was then forced into the bus & driven to Court. where
I was told I was wanted allegedly... I requested medical
treatment & upon the BX Court Captain seeing my injuries
he said call E.M.S. & I was brought to Lincoln Hospital...

5) when I arrived back in 9300th in M.D.C. at 1:00am or 2:00am the
next morning my cell was searched & tossed a lot of legal paperwork
and grievances went missing (see camera) property taken and not
vouchered. No search form was left in my cell and no indication
that anything was missing except the fact my cell was a mess.
2 or 3 days later I still received no property slip nor any of my missing
legal work or property. I was asked to search again! I asked all supervisors
or my property & papers they (took) confiscated or discarded. Instead of
being proactive & giving me my minimum standards they extract & assault
me. all on Captain Brown #801 & deputy SH. Brown's orders. The leader
of the assault/extraction team was yet another Captain Brown. this
one a male. (Added)
6) once again I was sent to the Box despite the 60 day rule
after doing 30 more Box days I was sent back to M.D.C.
mental health had me sent to CTI after suicidal tendencies
next thing you know I'm suddenly transferred from a mental
health setting where I incurred no issues at all. I've put
in an injunction. & in that injunction I stated clearly not to

let me be sent to W.F. West Facility to No Avail. I arrived at
W.F. ON 6/6/16 ON OR ABOUT I was assaulted ON the
visit floor by C.O Harris captain Collins & C.O.
Dalympie. (this assault came days after I was
personally threatened by Chief Jennings & others with
her (see grievances) affidavits. This assault took place in
front of my visitor Tiara Stevenson... Officer Harris punched
me in my head while I turn to speak to my visitor, then I
was attacked. Officer Pagan applied the leg shackles while
the other assaulted me. There was a camera, I was once
again framed with a weapon... I was found NOT guilty.
I was sent back to the Box, then despite my current
allegations ON staff here, I was yet again assaulted. ON
6/7/16 6:30AM Officer Hughes & Medina took turns holding
me while the other punches me in my face. I lost
consciousness numerous times, ONCE again I was framed
with a weapon... This is the 4th time including 4-25-16
where I was supposedly involved in a weapon incident.
I am to be criminally charged ON retaliation purposes
ALONE... in said assault I was injured severely AND
to the point I was almost defenseless. (see probe
team camera) my left side of my face was obliterated,
my jaw displaced, my eardrum Busted. This is
now making me beyond scared for my life. Afterwards
E.S.V. officer Dill strip searched me & in the process asked
me to bend over. He said don't move I'm going check for
weapons. at that time he physically spread my behind cheeks
and probed his finger. Hours later I was taken for fingerprint
... arrangement for this frame up. NO Hospital or real treatment

or me hours later on the way to court officer Lamar followed the same as
E.S.U. officer ~~did~~ was taken back to W.F. Brought to Spring 6 With 2
thers And I was left in my cell with no property & no
food from 8/7/16 to 8/9/16 I had no property, no
phone at all & no written notification of phone usage.
was denied the phone as per the Commissioner's office...
This was told to me by Captain Ross (E.S.U.) I am
now still currently suffering & being moved by the
courts to a mental health environment on Rikers or
somewhere less hostile would work wonders.